

Message Text

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ORIGIN L-02

INFO OCT-01 ARA-06 EUR-12 EA-06 IO-10 ISO-00 EB-07 DIWY-01

AID-05 COME-00 TRSE-00 LAB-04 SIL-01 CIAE-00 INR-07

NSAE-00 PM-03 NSC-05 SP-02 SS-15 PA-01 PRS-01 USIE-00

INRE-00 SSO-00 NSCE-00 /089 R

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APPROVED BY IO/CMD:DNFORMAN

L:SSCHWEBEL

EB/ITP/OT/GCP:DMORRISON

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O R 252351Z MAR 75 ZFF4

FM SECSTATE WASHDC

TO AMEMBASSY LIMA NIACT IMMEDIATE

INFO USMISSION EC BRUSSELS

USMISSION GENEVA

USMISSION OECD PARIS

AMEMBASSY VIENNA

USMISSION USUN NEW YORK

AMEMBASSY TOKYO

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E.O. 11652: N/A

TAGS: UNIDO, EGEN

SUBJECT: UNIDO II - DRAFT DECLARATION OF PRINCIPLES

REFS: (A) LIMA 2350; (B) LIMA 2398 (NOTAL)

LIMA FOR US DEL UNIDO II CONFERENCE

TOKYO FOR AMB. FERGUSON - CNR DEL

VIENNA FOR UNIDO

1. DEPT APPRECIATES, AS DESCRIBED REFTTEL, THAT MOST
CONTENTIOUS PARAS OF DECLARATION HAVE NOT YET BEEN
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DEFINITELY ADOPTED. DEPT CONTINUES TO VIEW SEVERAL PARAS

PROVISIONALLY ADOPTED BY DRAFTING COMITE AS UNACCEPTABLE. FOLLOWING LISTING OF OFFENSIVE PARAS IS NOT RPT NOT INTENDED AS EXHAUSTIVE. SEPTTEL DEALS WITH OTHER UNACCEPTABLE PARAS. FOLLOWING INSTRUCTIONS ARE GIVEN ON UNDERSTANDING IT UNLIKELY MOST TEXTS CAN BE MEASURABLY REVISED BEFORE VOTE IN PLENARY. IF OFFENSIVE LANGUAGE NOT DELETED FROM FOLLOWING PARAS, US DEL SHOULD ASK FOR SEPARATE VOTE AND VOTE AGAINST EACH PARA IN PLENARY, UNLESS IT HAS SECURED MATERIAL CONCESSIONS FOR ABSTENTION IN PLACE OF NEGATIVE VOTE. AS SEPTTEL INDICATES, WE IN ANY EVENT ANTICIPATE NEGATIVE VOTE ON TEXTS AS A WHOLE.

2. PARA 10. THIS PARA CONTAINS OBJECTIONABLE PROVISIONS, SUCH AS "... AGGRAVATED BY THE PERSISTENT AND MARKED

TENSIONS TO WHICH THE PRESENT INTERNATIONAL ECONOMIC SITUATION IS SUBJECTED..." AND "... THE ATTITUDE OF SOME DEVELOPED COUNTRIES..." THESE ARE VEILED ATTACKS SEEMINGLY DIRECTED AT POSITIONS OF USG AND STATEMENTS OF SECRETARY. THE REFERENCE TO TRANSNATIONAL CORPORATIONS (TNCs) IS HARMFULLY MISSTATED IN THAT IT IMPLIES THAT TNCs, AS A RULE, INFRINGE THE SOVEREIGNTY OF LDCs. THE REFERENCE TO THE EFFECT OF HEAVY FOREIGN DEBT SERVICING ON LDC BALANCE OF PAYMENTS MAY IMPLY THAT LDCs NEED NOT REPAY THEIR FOREIGN DEBTS. THE SUGGESTION THAT TRANSFERS RESULTING FROM PRIVATE INVESTMENT ARE PERNICIOUS IS SIMILARLY DISTORTED.

3. PARA 14. WHILE THIS PARA MAY SEEM INNOCUOUS STATEMENT OF SOVEREIGN RIGHTS OF STATES, DEPT IS CONCERNED THIS PROVISION IS BACK-DOOR ATTEMPT TO JUSTIFY NATIONALIZATION WITHOUT COMPENSATION ACCORDING TO INTERNATIONAL LAW. OFFENSIVE LANGUAGE IS "... ALL COUNTRIES HAVE THE SOVEREIGN RIGHT TO MAKE THE NECESSARY CHANGES TO ENSURE THE JUST AND EFFECTIVE PARTICIPATION OF THEIR PEOPLES IN INDUSTRY AND SHARE IN THE BENEFITS DERIVING THEREFROM;". TO MAKE TEXT ACCEPTABLE, US DEL MAY SEEK TO REVISE BY ADDING PHRASE "(COMMA" CONSISTENT WITH THEIR INTERNATIONAL OBLIGATIONS," AFTER "SOVEREIGN RIGHT".

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4. PARA 16. REFERENCES TO "NEO-COLONIAL POLICIES OR NEW FORMS OF DEPENDENCY" ARE UNACCEPTABLE. THIS PROVISION IS LESS OBJECTIONABLE THAN THE COMPARABLE ARTICLE (ARTICLE 16) OF CERDS. NONETHELESS, IT ONCE AGAIN REFERS TO THE UNDEFINED NEO-COLONIALISM, A PHRASE CUSTOMARILY DIRECTED AGAINST THE US. ADDITIONALLY, DEPT REGARDS REFERENCE TO "NEW FORMS OF DEPENDENCE" AS UNQUALIFIED AND UNACCEPTABLE ALLEGATION THAT ECONOMIC AND POLITICAL POLICIES OF US

(AND OTHERS) ARE IMPEDING THE INDUSTRIAL EXPANSION OF LDCS.

5. PARA 17. THIS PARA IMPLIES UNILATERAL OBLIGATION OF "INDUSTRIALIZED COUNTRIES" TO GIVE THE TECHNICAL AND FINANCIAL ASSISTANCE "NEEDED" FOR LDC DEVELOPMENT, AND LOOSELY CHARACTERIZES TERMS OF CURRENT ASSISTANCE AS "UNSATISFACTORY".

6. PARA 25. OFFENSIVE LANGUAGE IS "WHICH IS BEING ADAPTED TO THE PROGRAM OF ACTION ON THE ESTABLISHMENT OF A NIEO". SINCE US DOES NOT AGREE WITH "IMPLEMENTATION" OF THE UNGA 6TH SPECIAL SESSION PROGRAM OF ACTION, USDEL CANNOT SUPPORT THIS PARA.

7. PARA 26. OFFENSIVE LANGUAGE IS "AND THE ACHIEVEMENT OF THE TARGETS SET FORTH IN THE DECLARATION ON THAT

SUBJECT". FOR SAME REASONS STATED IN PARA 6 THIS MESSAGE, US DEL CANNOT SUPPORT THIS LANGUAGE.

8. PARA 48. THIS PARA IS MILD FORMULATION OF PRODUCER CARTEL CONCEPT (SEE SEPTTEL) WHICH USG OPPOSES. US DEL MAY PROPOSE FOLLOWING LANGUAGE: SUBSTITUTE "SEEK" FOR "USE EFFECTIVE MEANS OF STRENGTHENING THEIR BARGAINING POWER INDIVIDUALLY AND COLLECTIVELY". ALTERNATIVELY, WE COULD ACCEPT DELETION OF THE WORD "COLLECTIVELY"; HOWEVER THE WORD "INDIVIDUALLY" WOULD HAVE TO REMAIN, PREFERABLY BEFORE "BARGAINING", AS "INDIVIDUAL BARGAINING POWER".

9. COMMENT: WE ACKNOWLEDGE THAT FOREGOING OBJECTIONABLE PASSAGES ARE NEITHER AS IMPORTANT NOR AS OBJECTIONABLE AS THE MORE CONTENTIOUS PROVISIONS ON PERMANENT SOVEREIGNTY, PRODUCERS CARTELS, ETC. BUT WE DO NOT LIMITED OFFICIAL USE

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BELIEVE WE SHOULD ACCEPT THEM, IN ABSENCE, AT ANY RATE, OF G-77 DROPPING THE MAJOR CONTENTIOUS PARAS OR AMENDING THEM TO MEET OUR POSITIONS (REFTEL B, PARA 7). KISSINGER

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